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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 STEVEN CHAVEZ DURAN,

16 Defendant.

No. CR-5:06-mj-70783- HRL

STIPULATION AND ORDER TO  
CONTINUE

SAN JOSE VENUE

17 Both parties hereby agree as follows:

18 That the date for preliminary hearing or arraignment currently set for January 18, 2007  
19 at 9:30 a.m., be continued until March 1, 2007 at 9:30 a.m.. The defendant understands  
20 that he is entitled to a preliminary hearing within twenty days under Federal Rules of  
21 Criminal Procedure Rule 5.1 and waives his right to have a preliminary hearing until  
22 march 1, 2007. Moreover, the defendant understands that he a right to a speedy trial  
23 under 18 U.S.C. § 3161 and that the time period between January 18, 2007 and March 1,  
24 2007 is excluded pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv) in order to allow a sufficient  
25 time for the defendant to review discovery and have adequate time for effective  
26 preparation.

27 WHEREFORE the parties request that the hearing presently set for January 18, 2007  
28 at 9:30 a.m., be continued until March 1, 2007 at 9:30 a.m.

STIPULATION AND ORDER TO CONTINUE

**FILED**

JAN 17 2007

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

1 DATED: January 16, 2007

Respectfully submitted,

2 KEVIN V. RYAN  
United States Attorney

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5 /s/  
6 BARBARA BRENNAN SILANO  
Assistant United States Attorney

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8 /s/  
9 JERRY Y. FONG  
Counsel for Steven Duran

10 SO ORDERED:

11  
12 Date: 1/17/07

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14 HON. RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE

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STIPULATION AND ORDER TO CONTINUE